

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, N. C.

UNITED STATES OF AMERICA

v.
ALBERT PHARR

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)
CASE NO: 3:05CR253

)
ORDER

JUL 14 2006
U. S. DISTRICT COURT
W. DIST. OF N. C.

THIS MATTER is before the Court on the Government's and the Defendant's oral Motions for Continuing Psychiatric and/or Psychological Treatment.

Having read and considered the Forensic Report prepared by Forensic Psychologist William J. Ryan, PhD of the Federal Correctional Institution, New York, New York, and having heard argument from counsel, the undersigned finds by a preponderance of the evidence that the Defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

FOR GOOD CAUSE SHOWN, the parties' motions are hereby GRANTED.

IT IS THEREFORE ORDERED:

1. That pursuant to 18 U.S.C. Section 4241(d)(1), the Defendant be committed to the custody of the Attorney general to be hospitalized for treatment at a Federal Correctional Institution, for a period of time, not to exceed four months, as necessary to determine whether there is substantial probability that in the foreseeable future the Defendant will attain the capacity to proceed to trial.
2. That the time period for the commitment and hospitalization be calculated to begin

upon Defendant's arrival at the designated facility; and

3. That the report of such hospitalization be filed with the Court with copies provided to defense counsel and the United States Attorney as required by 18 U.S.C. § 4247(c).

The Clerk is directed to send copies of this order to counsel for the Defendant, to the United States Attorney, the United States Marshal, the U.S. Probation Office, and to the Warden of the Federal Correctional Institution.

This the 13th day of July, 2006.

Carl Horn, III
UNITED STATES MAGISTRATE JUDGE